

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION**

Sean Zeigler,

Petitioner,

v.

Case No. 1:18cv580

Warden, Lebanon Correctional,

Judge Michael R. Barrett

Respondent.

**ORDER**

This matter is before the Court on the Report and Recommendation (“R&R”) filed by the Magistrate Judge on August 5, 2019 (Doc. 16).

Proper notice has been given to the parties under 28 U.S.C. § 636(b)(1)(C), including notice that the parties would waive further appeal if they failed to file objections to the Report and Recommendation in a timely manner. *United States v. Walters*, 638 F.2d 947 (6th Cir. 1981). No objections to the Magistrate Judge’s R&R (Doc. 16) have been filed.

Accordingly, it is **ORDERED** that the R&R (Doc. 16) of the Magistrate Judge is hereby **ADOPTED**. Consistent with the recommendation by the Magistrate Judge, Petitioner’s Motion for Stay and Abeyance (Doc. 8) is **GRANTED** and the Petition (Doc. 1) is administratively **STAYED** and **TERMINATED** on the Court’s active docket pending Petitioner’s exhaustion of his Ohio remedies. The stay is conditioned on petitioner’s filing a motion to reinstate the case on this Courts active docket within 30 days after fully exhausting his state court remedies through the requisite levels of state appellate review. Petitioner is granted leave to reinstate the case on the Court’s active docket

when he has exhausted his Ohio remedies based on a showing that he has complied with the conditions of the stay.

Any request for certificate of appealability or request to certify an appeal would not be taken in good faith and would be denied.

**IT IS SO ORDERED.**

*s/Michael R. Barrett*  
Michael R. Barrett, Judge  
United States District Court